

REMARKS

Claims 1 and 2 were pending in the present application and were rejected. Claims 1 and 2 are herein cancelled without prejudice. New claims 3-5 are added herein.

Applicant's Response to Claim Rejections under 35 U.S.C. §103

Claims 1 and 2 were rejected under 35 U.S.C. §103(a) as being unpatentable over Applicant's Admitted Prior Art (U.S. Patent No. 2007/0024507) ("the APA") in view of Brown (U.S. Patent No. 5,764,194).

It is the position of the Office Action that the Admitted Prior Art discloses the invention as claimed, with the exception of teaching that the joint is a three-dimensional joint. The Office Action relies on Brown to provide this teaching.

The APA is directed at a conventional antenna, in which an antenna base 93 is secured in a base 8 by antenna holder 83. The antenna 9 includes antenna base 93, hinge mechanism 92, first rod 911 and telescopic rod portions 91. The antenna base 93 may slide into the case 8, and may rotate about its own axis. The hinge mechanism provides one-dimensional pivoting, and the antenna 9 can be extended by telescoping the plurality of telescopic rod portions 91.

Brown is directed at an antenna orientation assembly including an antenna structure 20. Brown discloses that the antenna structure 20 may pivot about a vertical axis V, and about a substantially horizontal axis H. See column 5, lines 18-41. Brown does not disclose pivoting about an axis in a depth direction, which would be represented by an imaginary line protruding from the page in Figure 1. The pivoting about the V axis allows for "twisting" movement, while

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the pivoting about the H axis allows for “front-to-back” movement. Pivoting about an axis in a depth direction would provide for “side-to-side” rotation. However, this is not present. Accordingly, Brown may only be broadly interpreted to disclose a two-dimensional joint, and does not disclose or suggest a three-dimensional joint.

In response to the rejection, Applicants respectfully submit that the combination of the APA and Brown does not disclose or suggest the invention as claimed. However, Applicants herein cancel claims 1 and 2 and replacing them with new claims 3-5. These new claims improve form and clarity. Additionally, the subject matter of original claim 2 is separated into two alternatives: new claim 4 and new claim 5. Applicants respectfully submit that these new claims more clearly recite the claimed subject matter and will expedite prosecution.

As to the merits, Applicants respectfully submit that the proposed combination does not disclose or suggest the invention as claimed. First, Applicants submit that Brown does not disclose or suggest “a three-dimensional joint.” Instead, Brown merely discloses two one-dimensional joints, allowing pivoting about the H and V axes. As discussed in the specification at page 4, lines 6-15, the three-dimensional joint pivots about three axes orthogonal to each other. Brown may only be broadly interpreted to disclose a two-dimensional joint which may pivot about two axes which are orthogonal to each other.

Additionally, Applicants respectfully submit that the combination of the APA and Brown also lacks other recited elements of new claim 3. For instance, new claim 3 recites a base case and a movable case. The cited art does not disclose or suggest a base case and a movable case, since the antenna is exposed in the disclosed embodiments.

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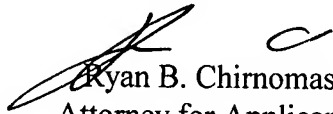
Furthermore, new claim 3 recites that the movable case has a "plurality of antennas." However, the cited art does not disclose or suggest a plurality of antennas in a movable case. The APA and Brown each merely disclose a single antenna which is pivotable about an axis. Neither the APA nor Brown disclose or suggest including a plurality of antennas in a movable case. Therefore, for at least the foregoing reasons, Applicants respectfully submit that the combination of references does not disclose or suggest the invention as claimed. Favorable reconsideration is respectfully requested.

For at least the foregoing reasons, the claimed invention distinguishes over the cited art and defines patentable subject matter. Favorable reconsideration is earnestly solicited.

Should the Examiner deem that any further action by applicants would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone applicants' undersigned attorney.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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